

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

EDINUEL RODRIGUEZ POLANCO,
a/k/a Adinel Polanco Rodriguez

ORDER OF
JUDICIAL REMOVAL

20 Cr. 237 (PKC)

Defendant.

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Upon the application of the United States of America, by Thomas John Wright, Assistant United States Attorney, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of EDINUEL RODRIGUEZ POLANCO, a/k/a Adinel Polanco Rodriguez, and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of the Dominican Republic and a citizen of the Dominican Republic.
3. The defendant arrived in the United States at or near an unknown place of entry, on or about an unknown date of entry.
4. The defendant was not admitted or paroled by an Immigration Officer.
5. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Southern District of New York, for the offense of

Conspiracy to Distribute and Possess with Intent to Distribute 100 grams and more of mixtures and substances containing a detectable amount of heroin and 40 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(B).

6. A maximum sentence of 40 years' imprisonment may be imposed for this offense. A mandatory minimum term of imprisonment that may be imposed for this offense is five years.

7. The defendant is subject to removal pursuant to Section 212(a)(2)(A)(i)(I) of the Immigration and Nationality Act of 1952, as amended ("INA"), 8 U.S.C. § 1182(a)(2)(A)(i)(I), as an alien convicted of acts which constitute a crime involving moral turpitude; Section 212(a)(2)(A)(i)(II) of the INA, 8 U.S.C. § 1182(a)(2)(A)(i)(II), as an alien who has been convicted of, or who admits having committed acts which constitute the essential elements of, a violation of (or a conspiracy or attempt to violate) any law or regulation of a State, the United States, or a foreign country relating to a controlled substance; Section 212(a)(2)(C) of the INA, 8 U.S.C. § 1182(a)(2)(C), as an alien that a consular or immigration officers knows or has reason to believe is or has been an illicit trafficker in any controlled substance or has been a knowing assister, abettor, conspirator, or colluder with others in the illicit trafficking in any such controlled substance; and Section 212(a)(6)(A)(i) of the INA, 8 U.S.C. § 1182(a)(6)(A)(i), as an alien who is present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

8. The defendant has waived his right to notice and a hearing under Section 238(c) of the INA, 8 U.S.C. § 1228(c).

9. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.

10. The defendant has designated the Dominican Republic as the country for removal pursuant to Section 240(d) of the Act, 8 U.S.C. § 1229a(d).

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), that the defendant shall be removed from the United States promptly upon his release from confinement, or, if the defendant is not sentenced to a term of imprisonment, promptly upon his sentencing, and that the defendant be ordered removed to the Dominican Republic.

Dated: New York, New York
March 1, 2022



THE HONORABLE P. KEVIN CASTEL
UNITED STATES DISTRICT JUDGE